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*(USA) Inc., Avison Young-Nevada, LLC,*

*Mark Rose, Joseph Kupiec, The Nevada*

*Commercial Group, and John Pinjuv*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

NEWMARK GROUP, INC., G&E ACQUISITION  
COMPANY, LLC, and BGC REAL ESTATE OF  
NEVADA, LLC,

) CASE NO.: 2:15-cv-00531-RFB-EJY

)

) **STIPULATION AND ORDER TO**

) **EXTEND TIME TO FILE**

) **RESPONSE TO PLAINTIFFS'**

) **MOTION FOR**

) **RECONSIDERATION [ECF. NO.**

) **476] AND OBJECTION TO**

) **REPORT AND**

) **RECOMMENDATION [ECF. NO.**

) **478]**

)

) **(First Request)**

)

)

AVISON YOUNG (CANADA) INC.; AVISON  
YOUNG (USA) INC.; AVISON YOUNG -  
NEVADA, LLC, MARK ROSE, THE NEVADA  
COMMERCIAL GROUP, JOHN PINJUV, and  
JOSEPH KUPIEC; DOES 1 through 5; and ROE  
BUSINESS ENTITIES 6 through 10

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Pursuant to Local Rules IA 6-1, IA 6-2, and LR 7-1, Plaintiffs Newmark Group, Inc. G&E Acquisition Company, LLC, and BGC Real Estate of Nevada, LLC (“Plaintiffs”) and Defendants Avison Young (Canada) Inc., Avison Young (USA) Inc., Avison Young – Nevada, LLC, Mark Rose, The Nevada Commercial Group, John Pinjuv, and Joseph Kupiec (“Defendants”), by and through their respective attorneys of record, stipulate as follows:

1. This is the first stipulation for extension of time for Defendants to respond to Plaintiffs’ Motion (1) to Reconsider the Court’s Ruling on Defendants’ Motion to Dismiss the Second Amended Complaint and (2) For Leave to File Plaintiffs’ Third Amended Complaint (ECF No. 476) (the “Motion”) and Plaintiffs’ Objection to July 28, 2021, Finding and Recommendation Regarding Motion for Leave to File Third Amended Complaint (ECF. No. 478) (the “Objection”).

2. On June 10, 2021, Plaintiffs filed a Motion for Leave to File a Third Amended Complaint. ECF No. 458.

3. The Court held a hearing on July 28, 2021 during which the Court denied, without prejudice, Plaintiffs’ Motion to File a Third Amended Complaint and directed Plaintiffs to file a motion to reconsider before the district court judge. (ECF No. 474.)

4. On August 2, 2021, Plaintiffs filed their Motion and Objection.

5. Defendants’ respective responses to the Motion and Objection would ordinarily be due fourteen (14) days after filing, on August 16, 2021.

6. Due to various attorney conflicts and competing deadlines including several depositions taking place in this case and related cases involving the same parties, Defendants requested an extension to respond to the Motion and Objection. The parties have reached an agreement stipulating that Defendants be permitted an additional seven (7) days to respond to Plaintiffs’ Motion and Objection, resulting in a response date of August 23, 2021.

7. This stipulated extension is requested in good faith and for good cause, and is not intended to unduly delay proceedings in any manner. Accordingly, the parties respectfully request that the Court grant the proposed extensions discussed herein.

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1 DATED: August 10, 2021

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22 *and BGC Real Estate of Nevada, LLC.*

DATED: August 10, 2021

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IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: August 11, 2021